

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

The Estate of RICHIE MAJORS, deceased;
and RE'SHANE LONZO in her capacity as
the Personal Representative of the Estate of
Richie Majors,

Plaintiffs, Hon. Mark A. Goldsmith
v. Mag. David R. Grand
Savithri Kakani; and Case No. 2:16-cv-13672
Thomas LaNore.
Defendants.

PLAINTIFF'S PROPOSED PUNITIVE DAMAGES INSTRUCTION

With all the JFPTO documents being shared back and forth via email,
Plaintiff did not notice that Defendants removed the punitive damages instruction
from Plaintiff's initial set of instructions. Plaintiff proposes the following punitive
damages instruction, which Plaintiff already sent to Defendants, and to which
Defendant have indicated they object:

Punitive Damages

*In addition to the damages mentioned in the other instructions, the law
permits you to award an injured person punitive damages under certain
circumstances in order to punish defendant for some extraordinary misconduct
and to serve as an example or warning to others not to engage in such conduct.*

If you find in favor of plaintiff and against defendant and if you find the conduct of that defendant was recklessly or callously indifferent to Plaintiff's serious medical needs, then, in addition to any other damages to which you find the plaintiff is entitled, you may, but are not required to, award plaintiff an additional amount as punitive damages if you find it is appropriate to punish that defendant or deter that defendant and others from like conduct in the future.

Whether to award plaintiff punitive damages and the amount of those damages are within your sound discretion.

You may assess punitive damages against any or all defendants or you may refuse to impose punitive damages. If punitive damages are assessed against more than one defendant, the amounts assessed against such defendants may be the same or they may be different.

While you may consider evidence of actual harm to nonparties as part of your determination of reprehensibility, you may not use it to punish a defendant for injury the defendant may have inflicted upon nonparties or those whom they directly represent.

Respectfully,

/s/ Solomon M. Radner
Solomon M. Radner (P73653)
Counsel for Plaintiff

DATED: January 18, 2023